

Applicants respectfully traverse the election of species requirement on the basis that the elected and non-elected species are covered by generic claims identified by the Examiner in the election of species requirement and these generic claims have already been the subject of an Official Action on the merits, which in turn has been the subject of the Applicants response dated September 9, 2002. Applicants assert that their response of September 9, 2002 has overcome the initial rejection based on prior art found by the Examiner and, as such, a subsequent search and Official Action would not constitute an undue burden on the Examiner.

Applicants note that the elected and non-elected species are included under the identified generic claims, which if found allowable will entitle the Applicants to consideration of the remaining species. Further, Applicants assert that the elected species are species included in Markush type claims, which under MPEP §803.02 and relevant case law require the Examiner to search species by species if the elected species if found to be patentable.

Applicants submit that the application is now in condition for continued examination on the merits. Early notification of such action is earnestly solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact Perry E. Van Over at the telephone number listed below.

Respectfully submitted,

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